

1 THOMAS M. HERLIHY (SBN: 83615)
2 Thomas.Herlihy@wilsonelser.com
3 LISA SILVA PASSALACQUA (SBN: 161990)
4 Lisa.Passalacqua@wilsonelser.com
5 **WILSON, ELSE, MOSKOWITZ,**
6 **EDELMAN & DICKER LLP**
7 525 Market Street, 17th Floor
8 San Francisco, CA 94105
9 Telephone: (415) 433-0990
10 Facsimile: (415) 434-1370

11 Attorneys for Plaintiff
12 REASSURE AMERICA LIFE
13 INSURANCE COMPANY

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 REASSURE AMERICA LIFE INSURANCE) Case No.: CV 11-00488 MMC
17 COMPANY)
18 Plaintiff.) **AMENDED**
19 v.) **STIPULATED JUDGMENT IN**
20) **INTERPLEADER**
21 ANDRIA D. R. BATISE, VERNA I. CHASE,)
22 MICKAELE CHASE, ALEXANDER CHASE)
23 and DOES 1-10, inclusive,)
24 Defendants.

25
26 Upon reading the Stipulation and Order for Entry of Judgment in Interpleader Discharging
27 plaintiff Reassure America Life Insurance Company ("Reassure"), and it appearing that Plaintiff
28 Reassure has properly brought this action in interpleader, that this Court has jurisdiction of the
parities and of the subject herein, and that good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That, by reason of the death of Michael Chase ("decedent"), on July 25, 2010, the
sum of One Hundred and Fifty Thousand Dollars (\$150,000.00)

1 (“Benefit proceeds”) became payable pursuant to Life Insurance Policy No. AUSE0019010 (the
2 “Policy”) that was issued by Valley Forge Life Insurance Company to the decedent effective July
3 24, 2000; (Reassure assumed Valley Forge Life Insurance Company’s business including the
4 insured’s policy and currently administers the insured’s policy)

5 3. That defendants Andria D.R. Batise, Verna Iathe Chase, Mickaele Chase and
6 Alexander Chase each claim entitlement to some or all of the Benefit Proceeds and that, to date, no
7 other person or entity currently makes claim to Reassure for the Benefit Proceeds;

8 4. That Reassure was ready, willing, and able to deliver the Benefit Proceeds to the
9 person(s) legally entitled thereto. However, by reason of the actual and potential competing claims
10 to the Benefit Proceeds, Reassure did not know and was unable to determine the person(s) legally
11 entitled to them;

12 5. That concurrently with the filing of its complaint in interpleader, Reassure deposited
13 with the Clerk of this Court the Benefit Proceeds, totaling One Hundred Fifty Two Thousand, Three
14 Hundred and Seventy Dollars and Fifty-FourCents (\$152,370.54), which represents the insurance
15 proceeds payable under the Policy, plus interest;

16 6. That having deposited the monies with the Clerk of the Court on or about March 9,
17 2006, Reassure, its predecessors, successors, affiliates, parent corporation, officers and agents are
18 fully and forever released, discharged, and acquitted from any liability of any kind or nature
19 whatsoever under the Policy or by reason of the death of the decedent as to any and all claims,
20 charges, demands, or otherwise that exist now or may arise at any time in the future;

21 7. That Reassure is entitled to fees of \$ 13,754.00 and costs of 544.25, for a total of
22 \$14,298.25, to be paid out of the Benefit Proceeds deposited with the Clerk of this Court and
23 payable to “Reassure America Life Insurance Company,” C/O Renae Hermann, Esq. Reassure
24 America Life Insurance Company, P.O. Box 600, Southfield, Michigan 48037-0600.

25 8. The defendants hereby stipulate that the remaining Benefit Proceeds deposited with
26 theClerk of the Court will be divided among the parties and paid out as follows:

27 a. Andria D.R. Batise will receive \$10,000.00 payable by check or draft to Andria D.R.
28 Batise; C/O Haydel & Ornellas, 3350 Deer Park Drive, Stuie A, Stockton, CA 95219.

b. Verna Ianthe Chase will receive \$42,690.77, payable by check or draft to Verna Ianthe Chase, P.O. Box 4744, Stockton, CA, 95204.

c. Mikaele Chase will receive \$42,690.76, payable by check or draft to Douglas A. Haydel, trustee for Mickaele Chase, Haydel & Ornellas, 3350 Deer Park Drive, Suite A, Stockton CA, 95219;

d. Alexander Chase will receive \$42,690.76, payable by check or draft to Douglas A. Haydel, trustee for Alexander Chase, Haydel & Ornellas, 3350 Deer Park Drive, Suite A, Stockton CA, 95219;


e. Any remaining balance, resulting from the accrual of interest from the deposit of the Benefit Proceeds with the Court, shall be divided equally between Verna Ianthe Chase, Mickaele Chase and Alexander Chase, and added to their respective shares as referenced above.

9. That payments are made by the Clerk of the District Court in accordance with paragraphs 8 (a) through (e) above.

10. That defendants Andria D.R. Batise, Verna I. Chase, Mickaele Chase and Alexander Chase are permanently enjoined from instituting or prosecuting any proceeding in any state or United States court against Reassure, its predecessors, successors, affiliates, parent corporation, officers and agents with respect to the proceed due under the Policy; and

11. That Reassure is dismissed from this action with prejudice and the entire action is dismissed.

Dated: May 23, 2011


Hon. Maxine M. Chesney
United States District Judge

AMENDED STIPULATED JUDGMENT IN INTERPLEADER DISCHARGING REASSURE AMERICA LIFE
INSURANCE COMPANY

USDC NDCA Case No. CV 11-00488 MMC